

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF ALASKA
 CIVIL DOCKET ENTRIES FOR CASE A03-0221--CV (JWS)
 "JERRY LEE DOUGLAS V SUPERINTENDENT ZEE HYDEN"

Including terminated parties, excluding terminated counsel

Presiding Judge: The Honorable John W. Sedwick, U.S. District Judge
 Magistrate Judge: The Honorable John D. Roberts, U.S. Magistrate Judge
 Referral Rule: 4(4)
 Filed: 09/23/03
 Closed: NO

Jurisdiction: (3) Federal Question (US Govt not a Party)
 PLF Diversity:
 DEF Diversity:

Nature of Suit: (530) Habeas Corpus: General

Origin: (1) Original Proceeding
 Demand:
 Filing fee: In Forma Pauperis
 Trial by:

Parties of Record:

Counsel of Record:

PLF 1.1 DOUGLAS, JERRY LEE

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DEF 1.1 [T] ALASKA, STATE OF

No counsel found for this party!

DEF 2.1 HYDEN, SUPERINTENDENT ZEE

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Document #	Filed	Docket text
1 - 1	09/23/03	Application to proceed without prepayment of fees w/exhs.
2 - 1	09/23/03	PLF 1 Petition for Writ of H/C per 28:2254.
2A- 1	09/29/03	Application to proceed without prepayment of fees w/att exhs.
3 - 1	09/30/03	RRB Order denying appl to waive fees w/leave to amend by 10/29/03 or pay \$5.00 filing fee by 10/29/03; amended pet due 10/29/03 or case dism; req for appt of cnsl due 10/29/03 or file notice of intent to proceed w/o cnsl. cc: cnsl, PSLC
4 - 1	10/06/03	RRB Order denying waiver of filing fee at dkt 2A; PLF 1 must pay \$5.00 filing fee by 11/05/03. cc: cnsl, PSLC
5 - 1	10/16/03	Application to proceed without prepayment of fees.
6 - 1	10/16/03	PLF 1 motion (appl) for appointment of counsel.
7 - 1	10/16/03	PLF 1 Petition for Writ of H/C per 28:2254 (Amended).
8 - 1	10/21/03	JWS Order directing svc and response; clk to serve cy of amended pet on D. Kossler; amended appl to waive prepayment of fees denied as moot (5-1); granting mot (appl) for appt of cnsl (6-1); FPD to designate cnsl; amended 2254 pet or notice of no amended pet due 11/19/03; resp has until 12/19/03 to file ans; case is referred to MJ Roberts per D.Ak.LMR 4(4). cc: cnsl, D. Kossler w/cy of amended pet, G. Renkes w/cy of amended pet, FPD (CJA Clk) w/cy of amended pet, MJ Roberts, PSLC
9 - 1	10/30/03	DEF 2 Attorney Appearance of John A. Scukanec (AAG-308).
10 - 1	11/05/03	PLF 1 Attorney Appearance of Mary Geddes (FPD).
11 - 1	11/19/03	PLF 1 motion to ext time (to 1/21/04) to amend petition.
12 - 1	11/21/03	JDR Order granting motion to ext time (to 1/21/04) to amend petition (11-1); (to 2/20/04) for respondednt to file an answer. cc: cnsl

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13 - 1	01/21/04	PLF 1 Petition for Writ of H/C per 28:2254(Amended) w/att exh.
14 - 1	02/09/04	DEF 2 preliminary response to amended petition w/att exh.
15 - 1	02/11/04	JDR Minute Order re petitioner to identify as directed by 2/20/04 his specific grounds of ineffective assist of cnsl claims & claim that he was denied his right to a fair trial assereted in his amended petition @ #13. cc: cnsl
16 - 1	02/19/04	PLF 1 Supplement to amended petition for habeas corpus.
17 - 1	02/20/04	JDR Minute Order re S&P conf set for 3/4/04 at 9:30 a.m. cc: cnsl
18 - 1	02/23/04	PLF 1 Unopposed motion to reset S&P conference w/att aff.
19 - 1	02/24/04	JDR Order granting motion Unopposed motion to reset S&P conference (18-1). The S&P conference previously set for 3/4/04 is VACATED and RESET for 3/10/04 at 11:00am. cc: cnsl
20 - 1	03/12/04	JDR Court Minutes [ECR: Debby Willoughby-Lyons] of S&P Conf (held 3/10/04); respondent's answer to supp to amended pet due COB 3/23/04; Respondent to lodge state crt record w/answer; petitioner's request for eivd hrg due COB 3/19/04; request to be served via fax on cnsl for respondent; petitioner's opening brf due COB 4/14/04; repsondent's oppo due COB 5/26/04; petitioner's reply due COB 6/7/04. cc: cnsl
21 - 1	03/22/04	DEF 2 Answer to petition for writ of habeas corpus.
22 - 1	03/22/04	DEF 2 Notice of lodging of transcript w/att transcript.
23 - 1	03/26/04	PLF 1 motion to accept late filed motion (on shortened time) w/att proposed late filed mot for evid hrg w/exh.
24 - 1	03/30/04	JDR Minute Order granting motion to accept late filed motion (on shortened time) (23-1); clerk to file the mot for evident hrg ; respondent's response to mot for evident hrg due 4/14/04. cc: cnsl
25 - 1	03/30/04	PLF 1 motion for evident hrg & request that decision be deferred until after the initial round of briefing. w/att aff & exhs.
26 - 1	03/31/04	DEF 2 opposition to PLF 1 motion for evident hrg & request that decision be deferred until after the initial round of briefing (25-1).
27 - 1	04/06/04	PLF 1 reply to opposition to PLF 1 motion for evident hrg & request that decision be deferred until after the initial round of briefing (25-1).
28 - 1	04/08/04	JDR Minute Order deferring motion for evident hrg (25-1) pending further consideration by the crt after briefing; brief due 5/18/04; oppo due 6/17/04; reply due 7/2/04; MJ will rule on mot for evident hrg before preparing an R&R on the merits of the petition. cc: cnsl
29 - 1	04/12/04	DEF 2 motion for clarification of order setting briefing schedule.
30 - 1	04/13/04	JDR Minute Order re MO at 29-1 re briefing is corrccted to read as petitioners brief due 5/18; respondent's oppo due 6/17; petitioner's reply due 7/2. cc: cnsl

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31 - 1	05/18/04	PLF 1 Unopposed motion on shortened time for one month ext of time to file brief in support of amended petition.
32 - 1	05/20/04	JDR Order granting motion Unopposed motion for one month ext of time to file brief in support of (31-1). Petitioners brief due COB 6/15/04; respondent's response due COB 7/15/04; reply due COB 7/30/04. cc: cns1
33 - 1	06/15/04	PLF 1 Unopposed motion on shortened time for 1 month ext of time to file brief in support of amended petition w/att aff.
34 - 1	06/16/04	JDR Order granting unopposed motion for 1 month ext of time to file brief in support of amended petition (33-1); petitioner's brief due 7/15/04; respondent's response due 8/16/04; reply due 8/30/04. cc: cns1
35 - 1	07/15/04	PLF 1 Unopposed motion for ext of time to submit brief in support of petition w/att aff.
35 - 2	07/16/04	JDR Order granting motion Unopposed motion for ext of time to submit brief in support of petiti (35-1); opening brf due 8/16/04; oppo due 9/16/04; reply due 9/30/04. cc: cns1
36 - 1	08/16/04	PLF 1 motion for ext of time to submit brief in support of petition w/att aff.
36 - 2	08/17/04	JDR Order granting motion for ext of time to submit brief in support of petition (36-1); petitioner's opening brief due 9/16; repondent's oppo brief due 10/18; reply brief due 11/8. cc: cns1
37 - 1	09/16/04	PLF 1 motion on shortened time for ext of time to submit brief in support of petition w/att exh.
38 - 1	09/17/04	AHB Order granting motion on shortened time for ext of time to submit brief in support of petiti (37-1); opening brf due 10/19/04; response due 11/19/04; reply due 12/10/04. cc: cns1
39 - 1	09/20/04	DEF 2 non-opposition to PLF 1 motion for ext of time to submit brief in support of petition (36-1).
40 - 1	10/19/04	PLF 1 motion on shortened time for extension of tiem until 12/31/04 to submit brief in support of petition.
41 - 1	11/04/04	JDR Order granting motion on shortened time for extension of time until 12/31/04 to submit brief; response due 1/31/05; reply due 2/21/05 (40-1). cc: cns1
42 - 1	12/22/04	PLF 1 motion on shortened time for extension of time until 1/14/05 to submit brief in support of petition w/att aff.
43 - 1	12/28/04	DEF 2 opposition (response) to PLF 1 motion on shortened time for extension of time until 1/14/05 to submit brief in support of petition (42-1).
44 - 1	01/13/05	JDR Order granting motion on shortened time for extension of time until 1/14/05 to submit brief (42-1). Petitioners opening brf is due 1/14/05. cc: cns1

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45 - 1	01/14/05	PLF 1 Unopposed motion for extension of time until 2/14/05 to file opening brief.
46 - 1	01/18/05	JDR Order granting unopposed motion for extension of time until 2/14/05 to file opening brief (45-1); govt's answer due 3/16/05; def's reply due 4/6/05. cc: cns1
47 - 1	02/14/05	PLF 1 Unopposed motion on shortened time for an additional day's continuance to file opening brief w/att aff.
48 - 1	02/15/05	JDR Minute Order granting unopposed motion on shortened time for an additional day's continuance (47-1); petitioner's opening brief due 3/14/05; response due 4/6/05; reply due 5/6/05. cc: cns1
49 - 1	02/15/05	PLF 1 Unopposed motion on shortened time for continuance to file opening brief w/att aff.
50 - 1	02/16/05	JDR Minute Order denied as moot unopposed motion on shortened time for continuance to file opening brief (49-1). cc: cns1
51 - 1	02/18/05	DEF 2 motion (request) for clarification of due date for brief of respondent.
52 - 1	03/14/05	PLF 1 motion for 1 day extension of time to file amended petition w/att aff.
53 - 1	03/15/05	PLF 1 motion to accept cassette tape in support petitioner's petition.
54 - 1	03/15/05	PLF 1 brief in support of petition for writ of habeas corpus w/att exhs. (original in folder behind file)
55 - 1	03/16/05	JDR Order granting motion for 1 day extension of time to file amended petition (52-1). cc: cns1
56 - 1	04/06/05	DEF 2 motion for extension of time until 6/13/05 to file briefs on merits w/att aff.
57 - 1	04/12/05	JDR Order granting respondents motion for extension of time by COB 6/13/05 to file briefs on merits (56-1). Reply brief due by COB 7/13/05. cc: cns1
58 - 1	04/25/05	JDR Order granting motion to accept cassette tape in support petitioner's petition (53-1). cc: cns1
59 - 1	04/26/05	PLF 1 Notice of loding cassette tape in support of petitioner's brief in support of petition for writ of habeas corpus (54-1). (tapes forwarded to MJ Roberts).
60 - 1	05/27/05	DEF 2 motion to stay briefing schedule w/att aff & exhs.
60 - 2	05/27/05	DEF 2 motion withdraw concession regarding exhaustion of state remedies w/att exhs.
61 - 1	05/31/05	JDR Minute Order granting motion to stay briefing schedule (60-1); mot to w/d concecssion will be addressed when petitioner's response is received &/or said motion is ripe. cc: cns1

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62 - 1	06/01/05	PLF 1 motion for reconsideration of order staying briefing w/att aff.
63 - 1	06/03/05	JDR Order denying motion for reconsideration of order staying briefing (62-1). cc: cns1
64 - 1	06/09/05	PLF 1 opposition to DEF 2 motion withdraw concession regarding exhaustion of state remedies (60-2).
65 - 1	06/14/05	DEF 2 reply to opposition to DEF 2 motion withdraw concession regarding exhaustion of state remedies (60-2).
66 - 1	06/24/05	JDR Order granting motion withdraw concession regarding exhaustion of state remedies (60-2); staying motion for evident hrg & request that decision be deferred until after the in (25-1), motion brief in support of petition for writ of habeas corpus (54-1); respondent's mot for relief based upon claim of petitioner's failure to exhaust state remedies due 6/30/05; petitioner's response due 7/15/05; reply due 7/20/05; briefing on the merits of the claims(s) is further stayed until after the the exhaustion issue has been determined. cc: cns1
67 - 1	06/28/05	DEF 2 motion for extension of time until 7/15/05 to file motion to dismiss w/att aff.
68 - 1	06/29/05	PLF 1 opposition to DEF 2 motion for extension of time until 7/15/05 to file motion to dismiss (67-1).
69 - 1	06/30/05	JDR Minute Order granting motion for extension of time until 7/15/05 to file motion to dismiss (67-1). Respondent's motion to dismiss due by 7/18/05; response due 8/1/05; reply due 8/8/05. Briefing on merits of the claims is stayed until after the exhaustion issue has been determined. cc: cns1
70 - 1	06/30/05	PLF 1 Errata to oppo re: DEF 2 motion for extension of time until 7/15/05 to file motion to dismiss (67-1).
71 - 1	07/15/05	DEF 2 motion to dismiss w/att memo.
72 - 1	08/01/05	PLF 1 motion on shortened time for 2 additional days to file opposition to motion to dismiss w/att aff.
73 - 1	08/02/05	TWH Order granting motion on shortened time for 2 additional days to file opposition to motion to dismiss (72-1). cc: cns1
74 - 1	08/03/05	PLF 1 opposition to DEF 2 motion to dismiss (71-1).
75 - 1	08/04/05	PLF 1 motion to accept corrected opposition to motion to dismiss w/att prop corrected oppo.
75 - 2	08/08/05	JDR Order granting motion to accept corrected opposition to motion to dismiss (75-1). cc: cns1
76 - 1	08/08/05	PLF 1 corrected opposition to DEF 2 motion to dismiss (71-1).
77 - 1	08/08/05	DEF 2 motion for extension of time until 8/15/05 to file reply to opposition to motion to dismiss w/att aff.

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78 - 1	08/10/05	JDR Order granting motion for extension of time until 8/15/05 to file reply to opposition to mot to dismiss (77-1). cc: cns1
79 - 1	08/15/05	DEF 2 reply to opposition to DEF 2 motion to dismiss (71-1).
80 - 1	08/17/05	PLF 1 motion to permit responsive pleading to petitioner's reply or in the alternative oral argument on mot to dsmss w/att aff.
81 - 1	08/22/05	DEF 2 opposition to PLF 1 motion to permit responsive pleading to petitioner's reply or in the alternative oral argument on mot to dsmss (80-1).
82 - 1	08/25/05	PLF 1 motion for extension of time until 9/8/05 to file reply to the motion to permit responsive pleading or oral argument on shortened time.
83 - 1	08/26/05	DEF 2 opposition to PLF 1 motion for extension of time until 9/8/05 to file reply to the motion to permit responsive pleading or oral argument on shortened time. (82-1).
84 - 1	08/30/05	JDR Order granting motion to permit responsive pleading to petitioner's reply or in the alternativ (80-1), motion for extension of time until 9/8/05 to file reply to the motion to perm (82-1). cc: cns1
85 - 1	09/12/05	PLF 1 response to reply & request for evident hrg on matter of detrimental reliance re DEF 2 motion to dismiss (71-1).
86 - 1	09/13/05	PLF 1 Unopposed motion to stay district court proceedings.
87 - 1	09/16/05	JDR Order granting unopposed motion to stay district court proceedings (86-1); parties jnt stat rpt due 10/31/05. cc: cns1
88 - 1	10/31/05	PLF 1 Jnt Status Report w/att aff.
89 - 1	11/08/05	JDR Minute Order re in light of the jnt status rpt at #88, the stay is lifted; the crt will proceed beginning w/the mot to dsmss @ #71 which is ripe. cc: cns1